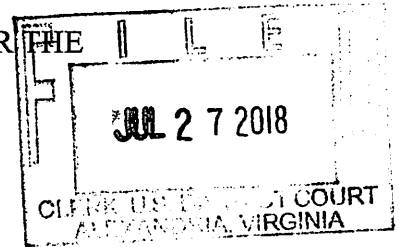


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

V.

Eduardo Luis GARCIA-MORALES
a/k/a “Luis GARCIA”,
a/k/a “Eduardo Ruiz GARCIA-MORALES”,
a/k/a “Eduardo R GARCIA-MORALES”,
a/k/a “Luis Eduardo GARCIA”
a/k/a “El Guayo”

Defendant.

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) Criminal No. 1:18MJ373
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**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Mark Tlumacki, being duly sworn, state the following:

1. I am a deportation officer with the United States Immigration and Customs Enforcement (“ICE”) in Fairfax, Virginia. I have been employed with ICE for over five years. During that time I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code. My duties as a deportation officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 and 18 of the United States Code and seeking, when applicable, prosecution and removal of violators.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant for Eduardo Luis GARCIA-MORALES, an alien who being found in the United States, after being

denied admission, excluded, deported, or removed, and having departed the United States while an order of exclusion, deportation, or removal was outstanding, in violation of Title 8, United States Code, Section 1326(a).

3. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, and it is not intended to include each and every fact and matter observed by me or known to the government.

PROBABLE CAUSE

4. On or about March 20, 2018, ICE Deportation Officer Jason Klepec received a tip from the Washington Field Office Federal Bureau of Investigation that GARCIA-MORALES was believed to be present in the United States working at a commercial business in Herndon, Virginia. ICE performed record checks which revealed GARCIA-MORALES is a Salvadorian national who was removed from the United States to El Salvador on or about December 20, 2013 from Alexandria, Louisiana, on or about February 4, 2014 from Laredo, Texas, on or about April 28, 2014 from Laredo, Texas, and on or about December 22, 2017 from Alexandria, Louisiana.

5. On or about July 13, 2018 GARCIA-MORALES, during the execution of an ICE Administrative arrest GARCIA-MORALES did attempt to escape from arrest of Deportation Officers. At approximately 1630 hours Deportation Officers witnessed GARCIA-MORALES at a commercial establishment in Herndon, Virginia. When Deportation Officers approached GARCIA-MORALES, he attempted to flee from arrest. Deportation Officers were able to apprehend GARCIA-MORALES, before he escaped. On or about July 13, 2018 GARCIA-MORALES was transported to the ICE Washington Field Office and subsequently fingerprinted.

An electronic copy of GARCIA-MORALES's fingerprints were then processed through ICE indices containing fingerprint records of known and previously deported aliens. Results of this query showed positive matches to GARCIA-MORALES, and known aliases, associated with both his Federal Bureau of Investigation (FBI)/Universal Control Number (UCN), and his Alien Registration Number. GARCIA-MORALES is currently in ICE custody awaiting removal to El Salvador.


6. I reviewed GARCIA-MORALES's, alien file, which includes four (4) fully executed ICE Forms I-205's (Warrant of Removal/Deportation), bearing GARCIA-MORALES's, fingerprints, photographs, and signatures.

7. On July 21, 2018, GARCIA-MORALES's fingerprints from prior Form I-205, dated December 22, 2017, and Fingerprint Card Form FD-249 dated July 13, 2018, were submitted to the FBI Special Processing Center. On July 21, 2018, the FBI confirmed all submitted exhibits, were identical matches and a positive match to GARCIA-MORALES's FBI/UCN number.

8. GARCIA-MORALES's, alien file lacks evidence of any immigration benefit, document, or status that would allow him to enter, be admitted, pass through, or reside in the United States legally. Further, GARCIA-MORALES has not obtained permission from the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States following his formal removals.

9. Based on the foregoing, I submit there is probable cause to believe that on or about March 20, 2018 in Herndon, Virginia, within the Eastern District of Virginia, GARCIA-MORALES, an alien having been removed from the United States to El Salvador on or about December 20, 2013 from Alexandria, Louisiana, on or about February 4, 2014 from Laredo, Texas, on or about April 28, 2014 from Laredo, Texas, and on or about December 22, 2017 from

Alexandria, Louisiana, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security, to reapply for admission to the United States, in violation of Title 8 USC §1326(a) and on July 13, 2018 in Herndon, Virginia, within the Eastern District of Virginia, GARCIA-MORALES did attempt to escape during arrest by Deportation Officers, in violation of Title 18 USC, §752(a).



Mark Tlumacki
Deportation Officer
United States Immigration and Customs
Enforcement

Subscribed and sworn to before me
This 27th day of July 2018.

Michael S. Nachmanoff
~~United States Magistrate Judge~~
The Honorable Michael S. Nachmanoff
United States Magistrate Judge
Alexandria, Virginia